

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2005-139613-001 DT

06/27/2008

COMMISSIONER DAVID O. CUNANAN

CLERK OF THE COURT

T. Gaulke

Deputy

STATE OF ARIZONA

CYNTHIA L GIALKETSIS

v.

DUANE MICHAEL DAVIDSON (001)

DOB: 11/13/1965

ARNOLD FRITZ

APO-SENTENCINGS-CCC

APPEALS-CCC

AZ DOC

DISPOSITION CLERK-CSC

RFR

VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED/IMPRISONMENT

9:39 a.m.

Courtroom ECB 713

State's Attorney:

Alane Roby

Defendant's Attorney:

Kristopher Califano for Arnold Fritz

Defendant:

Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is accepted.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Aggravated Driving Under the Influence of Intoxicating Liquor or
Drugs

Class 4 Felony

A.R.S. § 28-1383A1, 28-1381A1, 28-1383(J), 28-1444, 28-1461, 28-3304, 28-3305,
28-3306, 28-3315, 28-1304, 12-114.01, 13-610, 13-701, 13-702, 13-702.01, 13-801 and 41-1651

Date of Offense: 04/25/2005

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment
and is committed to the Arizona Department of Corrections as follows:

Count 1: 4 month(s) from 06/26/2008

Presentence Incarceration Credit: 38 day(s)

IT IS ORDERED suspending imposition of sentence and, under the supervision of the
Adult Probation Department (APD), placing the defendant on probation for:

Count 1 Probation Term: 3 years

Upon release from prison for felony DUI (4 months; 38 days credit).

Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 1 - \$50.00 per month, beginning 2 months after
release from DOC.

FINE: Count 1 - Total amount of \$1380.00, which includes surcharges of 80%, payable
\$15.00 per month beginning 2 months after release from DOC.

ASSESSMENTS:

Count 1: \$250.00 to the DUI Abatement Fund, payable \$5.00 per month, beginning 2
months after release from DOC.

Count 1: \$1500.00 to the Prison Construction and Operations Fund, payable \$15.00 per
month, beginning 2 months after release from DOC.

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Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings. The defendant waives his presence for any restitution hearings.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 23 - Be permitted to apply for Interstate Compact supervision in the state of Virginia.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

IT IS ORDERED granting the Motion to Dismiss the following: Count 2.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The presentence investigation report is filed under this cause number.

9:45 a.m. Matter concludes.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's thumbprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER DAVID O. CUNANAN
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)